

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

In re:

Zohar III, Corp., *et al.*¹

Debtors.

Chapter 11

Case No. 18-10512 (KBO)

Jointly Administered

LYNN TILTON, PATRIARCH PARTNERS
VIII, LLC, PATRIARCH PARTNERS XIV,
LLC, PATRIARCH PARTNERS XV, LLC,
OCTALUNA, LLC; OCTALUNA II, LLC,
AND OCTALUNA III, LLC,

Appellant,

v.

MBIA INC., MBIA INSURANCE
CORPORATION, U.S. BANK, N.A.,
ALVAREZ & MARSAL ZOHAR
MANAGEMENT, CREDIT VALUE
PARTNERS, LP, BARDIN HILL
INVESTMENT PARTNERS F/K/A
HALCYON CAPITAL MANAGEMENT LP,
COÖPERATIEVE RABOBANK U.A.,
VÄRDE PARTNERS, INC., ASCENSION
ALPHA FUND LLC, ASCENSION HEALTH
MASTER PENSION TRUST, CAZ
HALCYON OFFSHORE STRATEGIC
OPPORTUNITIES FUND, L.P., BROWN
UNIVERSITY, HCN LP, HALCYON
EVERSOURCE CREDIT LLC, HLF LP,
HLDR FUND I NUS LP, HLDR I TE LP,
HLDR FUND I UST LP, HALCYON
VALLÉE BLANCHE MASTER FUND LP,
BARDIN HILL EVENT-DRIVEN MASTER
FUND LP, PRAETOR FUND I, A SUB

Civil Action No. 22-cv-00400 (TLA)

Bankruptcy Adv. Proc. No. 19-50390 (KBO)

¹ The Debtors, and, where applicable, the last four digits of each of their respective tax identification numbers are, as follows: Zohar III, Corp., (9612), Zohar II 2005-I, Corp. (4059), Zohar CDO 2003-1, Corp., (3724), Zohar III, Limited (9261), Zohar II 2005-1, Limited (8297), and Zohar CDO 2003-1, Limited (5119). The Debtors' address is c/o FTI Consulting, Inc., 1166 Avenue of the Americas, 15th Floor, New York, NY 10036.

FUND OF PRAETORIUM FUND I ICAV,
HIRTLE CALLAGHAN TOTAL RETURN
OFFSHORE FUND LIMITED, HIRTLE
CALLAGHAN TOTAL RETURN
OFFSHORE FUND II LIMITED, HIRTLE
CALLAGHAN TRADING PARTNERS, L.P.,
AND THIRD SERIES OF HDML FUND I
LLC,

Appellee.

APPLICATION TO APPEAR PURSUANT TO LOCAL RULE 83.5(f)(2)

I, John W. Weiss, a partner with the law firm of Pashman Stein Walder Hayden, P.C., respectfully request the approval of this Court to appear in the above-captioned case on behalf of U.S. Bank National Association, solely in its capacity as trustee (“**U.S. Bank**”), under the: (i) Indenture, dated as of November 13, 2003, among Zohar CDO 2003-1, Limited (“**Zohar I**”), Zohar CDO 2003-1 Corp., Zohar CDO 2003-1, LLC, MBIA Insurance Corporation, as credit enhancer (“**MBIA**”), CDC Financial Products Inc. and U.S. Bank, as trustee; (ii) Indenture, dated as of January 12, 2005, among Zohar II 2005-1 Ltd. (“**Zohar II**”), Zohar II 2005-1, Corp., Zohar II 2005-1, LLC, MBIA, IXIS Financial Products Inc., and LaSalle Bank National Association, as predecessor trustee; and (iii) Indenture, dated as of April 6, 2007, among Zohar III, Limited (“**Zohar III**”), Zohar III, Corp., Zohar III, LLC, Natixis Financial Products, Inc., and LaSalle Bank National Association, as predecessor trustee (collectively, the “**Indentures**”), pursuant to Rule 83.5(f)(2) of the Local Rules of Civil Practice and Procedure of the United States District Court for the District of Delaware (the “**Local Rules**”).

Local Rule 83.5(f)(2) provides that “[a]ttorneys who are admitted to the Bar of this Court and in good standing, but who do not maintain an office in the District of Delaware, may appear on behalf of parties upon approval by the Court.” Del. Del. L.R. 83.5 (f)(2).

I am admitted to, and in good standing with, the Bar of the State of Delaware, the United States District Court for the District of Delaware (the “**District Court**”), and the United States Bankruptcy Court for the District of Delaware (the “**Bankruptcy Court**”). I do not maintain an office for the practice of law in the District of Delaware. My office is located in Holmdel, New Jersey, at the address indicated below.

On January 20, 2022, the Bankruptcy Court approved my Application to Appear in these cases pursuant to Local Rule 9010-(e)(ii) in the above referenced bankruptcy cases. *See* Order Approving Appearance Pursuant to Local Rule 9010-(e)(ii), In re Zohar III, Corp. Case No. 18-10512((KBO) (Del. Bankr. Jan. 20, 2022) (ECF No. 3018). The instant proceeding before the District Court involves an appeal (the “**Appeal**”) filed by various parties of a decision entered in the Bankruptcy Court.

Therefore, I respectfully request that the District Court enter the proposed order attached hereto as **Exhibit A** approving my continued appearance in this proceeding before the District Court pursuant to Local Rule 83.5(f)(2).

Dated: April 15, 2022
Holmdel, NJ

Respectfully submitted,

PASHMAN STEIN WALDER
HAYDEN, P.C.

By: /s/ John W. Weiss
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*Attorneys for U.S. Bank National Association, solely in its
capacity as trustee under the Indentures*